

LEGAL NOTIFICATION AND PRIVATE PROPERTY OWNER PARTICIPATION for the State/Federal Register Process

- State and federal laws each require notification to public officials and private property owners for every nomination to be presented at a meeting of the State Review Board and Board of Historic Resources.
- Deficient notification is grounds for removing a nomination from a board meeting agenda or removal of historic designation.
- On the Legal Notification form, the signer agrees that all the information included with this form has been made available to the Department of Historic Resources in good faith and through best efforts to provide accurate and current information from legal public records as detailed below.

The following materials and form are required with each nomination submittal:

LOCAL OFFICIALS

In a separate, clearly identified list, provide the names, offices, and mailing addresses for all the highest local elected and appointed officials as well as staff for the jurisdiction where the nominated property is located.

Check the local government's website to obtain the names and titles of current officeholders and staff, or call the locality's main phone number to find the following information.

- Nominated property within an Independent City – provide mailing labels for the chief elected official (usually the Mayor) and chief administrative official (usually called the City Manager).
- Nominated property within a County – provide mailing labels for the Chair of the Board of Supervisors and the chief administrative official (typically the County Administrator)
- Nominated property within an incorporated Town – provide mailing labels for the Town's chief elected official (usually the Mayor) and chief administrative official (usually called the Town Manager) *in addition to* providing labels for the County officials within which the Town is located..

If the nominated property is within a Certified Local Government (CLG) jurisdiction, also include a mailing label for the local government's CLG coordinator. A CLG can be an Independent City, County, or Town government. If you are unsure about CLG status, please consult with DHR Regional Office staff; also see a current list of Virginia's CLGs at http://www.dhr.virginia.gov/clg/clg_list.htm.

PROPERTY OWNERS WITHIN THE NOMINATED BOUNDARIES

In a separate, clearly identified list, provide the names, along with the complete legal tax parcel list and **mailing** address information, of all the property owners included within the proposed nomination boundary. If a tax parcel within the nomination boundary has more than one owner, then provide information for each owner of the parcel. Provide ownership information for occupied and vacant parcels.

Attach a **map** showing the labeled tax parcels within the proposed nomination boundaries. This will be used to cross-check the parcel information against the ownership information.

Include information for any and all parcels that are owned by a local government, the Commonwealth of Virginia, or the U.S. government, even if their properties are only vacant land parcels. Also identify the government-owned parcels on the parcel map that you submit. Do not forget to include road infrastructure, such as bridges and overpasses.

The ownership information should be derived from **current official land recordation records or tax records** maintained by the Independent City or County government where the nominated property is located. Typically you will find this information in the local government's Assessor's Office.

PROPERTY OWNERS ADJACENT TO THE NOMINATED PROPERTY

In a separate, clearly identified list, provide the names, along with the complete legal tax parcel list and **mailing** address information, of all the property owners immediately adjacent to the proposed nomination boundaries. This will be used to cross-check the parcel information against the ownership information.

All owners of properties touching the nominated property or historic district boundaries or across the street from the nominated property or historic district must be included in the label lists of adjacent owners. Be inclusive and include owners that are cattycorner to the property as well. If a river, railroad, roadway or open expanse is on the edge of the proposed boundary, then owners on the other side are notified if they are within 300 feet (a football field's length) of the nomination's boundary. This includes vacant parcels of land.

WHEN TO OBTAIN PROPERTY OWNERSHIP INFORMATION

The earliest date to be used for obtaining ownership information is based on the Board meeting date. For 2017, these dates are as follows:

Board Meeting Date	Obtain ownership information <u>no earlier than</u>:
March 17, 2017	November 17, 2016
June 15, 2017	February 16, 2017
September 21, 2017	May 25, 2017
December 14, 2017	August 17, 2017

OBTAINING PROPERTY OWNER INFORMATION FROM ONLINE SOURCES

Increasingly, local governments have created websites that provide property ownership information. If you use an online source, ask the local government's Assessor's Office staff to provide a statement about how often the online information is update (an emailed statement is acceptable).

The online information must be current and complete in order to be used for notification purposes. Shortened or truncated owner information found in GIS layers will not meet the legal standard for notification and the nomination will not be scheduled for a specific Board meeting.

MAILING LABELS

Regardless of the total number of owners, adjacent owners, and local government officials, prepare **two hard copies** of mailing labels and **one electronic version** (saved in Excel or Word format) to include with the notification form, parcel map, and lists of property owners, adjacent owners, and local officials as described above. The mailing labels should be printed or typed (no handwritten labels).

Please make sure to **separate and identify** the groups of labels (owners, adjacent owners, and local officials). Verify that the labels **do not have** partial owner names, partial addresses, or missing zip codes. Failure to provide complete mailing labels can result in an invalid notification process and the nomination cannot proceed.

HISTORIC DISTRICT NOMINATIONS – PUBLIC HEARING REQUIREMENT

For notification purposes, a historic district is comprised of two or more tax parcels and two or more unmarried or unrelated owners. A public hearing is required to take place as part of the nomination process for a historic district. Details for the date, time, and place of the public hearing must be provided on the attached Public Hearing Form. Coordinate with DHR Regional staff and the locality where the district is located to prepare and submit the form.

Public hearing date ranges for the current year are listed below as well as on the form itself, and must be planned to occur in coordination with the quarterly Board meeting at which the nomination will be presented. DHR staff will host the hearing. Consultants should be prepared to make a brief presentation that describes the historic district's historical and/or architectural significance, and the methods by which the survey and nomination processes were completed.

HISTORIC DISTRICT PUBLIC HEARING PERIODS FOR 2017

Board Meeting Date	Public Hearing Period
March 16, 2017	February 6-14, 2017
June 15, 2017	May 8-16, 2017
September 21, 2017	August 14-22, 2017
December 14, 2017	November 6-14, 2017

LEGAL NOTIFICATION FORM

This form provides ownership information for an individually nominated property *or* contact information for a historic district nomination.

Name of Nominated Individual Property or Historic District: _____

Located in City or County (and Town if applicable) of _____

Legal Tax Parcel # (also provide a copy of the referenced tax parcel map) _____

Individual Property Owner of Record (as stated on the legal tax record) _____

or Main Contact for Historic District _____

Mailing Address _____

City / State / Zip Code _____

Telephone: DAY _____ / _____ EVENING _____ / _____
Area Code / Number Area Code / Number

RECORDS CONSULTED (*this section must be completed and signed*)

Type of legal records consulted (tax or land records, deed books, etc.)

Location of records consulted _____

Internet Information – if online resources were used, then DHR ***must*** have a written statement from the local government verifying that the online information mirrors exactly the tax assessor's in-office records at the time the information was accessed. An email to this effect is acceptable.

Date information was obtained _____

Who obtained the information _____

(The nomination author, property owner, or representative of nomination sponsor may sign this form. Print your name, then sign and date, verifying you have obtained the most accurate and current information possible.)

For a historic district nomination, information must be obtained within 90 days of the scheduled public hearing. For all nominations, information must be obtained no more than 120 days before the quarterly Board meeting.

STATE AND FEDERAL CODES REFERENCED

Code of Virginia 10.1-2206.1 (<http://law.lis.virginia.gov/vacode/title10.1/chapter22/>)

Code of Virginia 2.2-3707 (<http://law.lis.virginia.gov/vacode/title2.2/chapter37/section2.2-3707/>)

Virginia Administrative Code Title 17, Agency 5, Chapter 30 and Agency 10, Chapter 20 (sections relevant to the notification process are abbreviated as 17VAC5-30-100, 17VAC5-30-120, 17VAC10-20-130 and 17VAC10-20-150)

(<http://law.lis.virginia.gov/admincode>)

National Historic Preservation Act of 1966 TITLE I Section 101 (16 U.S.C. 470a)

(<https://www.nps.gov/history/local-law/nhpa1966.htm>)

Code of Federal Regulations Title 36 Chapter I Part 60 (36CFR60) (http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title36/36cfr60_main_02.tpl)

PUBLIC HEARING FORM FOR HISTORIC DISTRICTS 2017
(This form is *not* required to accompany nominations of individual properties.)

The following information must be included with each **historic district nomination** at the time the nomination is submitted along with the completed Legal Notification Form and all mailing labels.

Consultants should be prepared to make a brief presentation at the hearing that describes the historic district's historical and/or architectural significance, and the methods by which the survey and nomination processes were completed.

Full Name of District: _____

Location (City or County [and Town if applicable]): _____

PUBLIC INFORMATION HEARING PARTICULARS

Meeting Day: _____

Meeting Date: _____

Meeting Time: _____

Location (Name of Facility): _____

Complete Address: _____
(street, city, zip) _____

Handicapped accessible: _____

Local contact person for facility & telephone number: _____

Local government: _____

Local government person contacted and phone number: _____

(Contact and coordination is Legally Required by DHR Staff)

Date of contact with local government person: _____
(Required)

Information submitted by: _____
(Signature Required)

PUBLIC INFORMATION HEARING PERIODS FOR 2017

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June 15, 2017	May 8-16, 2017
September 21, 2017	August 14-22, 2017
December 14, 2017	November 6-14, 2017